



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

AUG 21 2003

DOT-E 7951
(FIFTH REVISION)

EXPIRATION DATE: May 31, 2005

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: ConAgra Foods
Downers Grove, IL
(Former Grantee: ConAgra Dairy Foods)

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain aerosols containing Division 2.2 materials, with a charge pressure not exceeding 150 psig at 75°F when shipped in a refrigerated state. This exemption provides no relief from any Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered that hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.306(b)(1), 175.3, except as specified herein.
5. BASIS: This exemption is based on the application of ConAgra Foods dated August 18, 2003, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

.Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s.	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES: Prescribed packaging is a non-refillable metal container conforming to the requirements of a DOT Specification 2P except as follows:
- a. Each can is equipped with rim-venting release (RVR) device designed to relieve at not less than 175 psig and not over 210 psig.
 - b. One out of each case lot of 10,000 cylinders or less must be pressure tested to destruction. Failure at pressure below 175 psig and over 210 psig or failure occurring at other than RVR device will reject the lot. A case lot is defined as a lot of cylinders of the same size and design and built to the same specification by one manufacturer only.
 - c. In lieu of the marking required by § 178.33-9(a)(1), each container must be marked "DOT-E 7951."
 - d. The maximum charge pressure allowed at 75°F is 150 psig.
8. SPECIAL PROVISIONS:
- a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this exemption and the HMR.
 - b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

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c. Containers must be packed in strong outside containers conforming with § 173.301(k). Each outside package must be legibly marked "THIS SIDE UP" or "THIS END UP", as appropriate, to indicate the upward position of the inside packaging.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger aircraft.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. § 5101 et seq:
 - o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Registration required by § 107.601 et seq., when applicable.

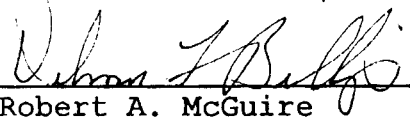
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

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12. **REPORTING REQUIREMENTS:** The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:


for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.


Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: sln

January 30, 2004

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Alamance Foods, Inc. Burlington, NC	Jan 29, 2004	Jan 30, 2004	May 31, 2005
Dean Foods Company Industry, CA	Jun 04, 2003	Jun 13, 2003	May 31, 2005
Dean Foods Company Gustine, CA	Jun 04, 2003	Jun 13, 2003	May 31, 2005
Dean Foods Company Fraser, NY	Jun 04, 2003	Jun 13, 2003	May 31, 2005
Gay Lea Foods Co- operative Ltd. Guelph, Ontario, CN	Jul 29, 2003	Aug 15, 2003	May 31, 2005



for Robert A. McGuire
Associate Administrator for
Hazardous Materials Safety